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J. Michael Levensgood (*pro hac vice* admission pending)
Alison M. Elko (*pro hac vice* admission pending)

*Counsel for Debtor Suffolk Regional
Off-Track Betting Corporation*

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re:

SUFFOLK REGIONAL OFF-TRACK
BETTING CORPORATION,

Debtor.¹

Chapter 9

Case No. 11-42250-CEC

**STATEMENT OF QUALIFICATIONS
UNDER CHAPTER 9 OF THE BANKRUPTCY CODE**

Suffolk Regional Off-Track Betting Corporation (the “Debtor” or “Suffolk OTB”), a public benefit corporation, by and through its undersigned counsel, hereby certifies its qualifications to be a debtor under section 109(c) of the Bankruptcy Code, as follows:

1. The Debtor is a municipality, as such term is defined in section 101(40).

¹ Suffolk Regional Off-Track Betting Corporation’s address is 5 Davids Drive, Hauppauge, New York 11788 and its tax-payer identification number is 11-2336937.

2. The Debtor is specifically authorized by name to be a chapter 9 debtor through Resolution No. 38-2011 (the “Suffolk County Resolution”) issued by the Suffolk County Legislature on March 16, 2011. A true and correct copy of such Suffolk County Resolution is attached hereto as Exhibit “A”. On February 24, 2011, the Board of Directors of Suffolk OTB voted to pass a resolution (the “Suffolk OTB Board Resolution”) authorizing the officers of Suffolk OTB to seek and obtain whatever legislative authorization may be necessary to properly file and commence the action to secure the jurisdiction of the U.S. Bankruptcy Court in order to re-structure the Suffolk OTB’s finances and enact a plan to address Suffolk OTB’s fiscal health going forward. A true and correct copy of the Suffolk OTB Board Resolution is attached hereto as Exhibit “B”.

3. The Debtor is insolvent within the meaning of section 101(32)(C) of the Bankruptcy Code.

4. The Debtor desires to effect a plan to adjust its debts.

5. The Debtor (a) has negotiated with creditors in good faith and has failed to obtain the agreement of creditors holding at least a majority in the amount of the claims of each class that the debtor intends to impair under a plan; (b) is unable to negotiate with creditors because such negotiation is impracticable; or (c) reasonably believes that a creditor may attempt to obtain a transfer that is avoidable under section 547.

Dated: New York, New York
March 25, 2011

McKENNA LONG & ALDRIDGE LLP

By: s/ Christopher F. Graham
Christopher F. Graham

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**DECLARATION UNDER PENALTY OF PERJURY
ON BEHALF OF A MUNICIPALITY**

I, Jeffrey A. Casale, President of the Suffolk Regional Off-Track Betting Corporation, am an authorized officer or agent of Suffolk Regional Off-Track Betting Corporation and declare under penalty of perjury that I have read the foregoing Statement of Qualifications, and that it is true and correct to the best of my knowledge, information and belief.

Dated: Hauppauge, New York
March 25, 2011

By: s/ Jeffrey A. Casale
Name: Jeffrey A. Casale
Title: President
Suffolk Regional Off-Track
Betting Corporation